

"We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:"

## **REFLECTION:**

Picture the scene. After many meetings and electing people from different communities to meet at the heart of the nation at Uluru. After so many years of seeking to be listened to and acted on their suggestions. Finally here they are together. It won't be easy. Just as non—indigenous don't always agree on certain issues neither should we expect this group not to have differing opinions. The important words which speak loudly are 'from the heart' This is a deep place to speak from; this is where we hear the truth. Can we hear the truth when it comes to our ears and hearts?



## **SUGGESTED ACTION:**

Sit and read the Statement carefully and share with another person.

"Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years "

## **REFLECTION:**

of Australia.

Since the European invasion of Australia in 1788, the Aboriginal people have been oppressed into a world unnatural to their existence for thousands of years. First came the influx of the strangers who carried with them diseases, which decimated the immediate population of the Sydney tribes. It is estimated that over 750,000 Aboriginal people inhabited the island continent in 1788.

were led to believe that the land was terra nullius ('no one's la James Cook declared Australia to be in 1770 during his voyage



The colonists ('no one's land'), which Lt voyage around the coast

"They say we have been here for 40 000 years, but it is much longer.

We have been here since time began.

We have come directly out of the Dreamtime of our creative ancestors.

We have kept the earth as it was on the first day.

Our culture is focused on recording the origins of life.

We refer to forces and powers that created the world as creative ancestors.

Our beautiful world has been created only in accordance with the power, wisdom and intentions

### **SUGGESTED ACTION:**

#### Read one of these books







"How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?"

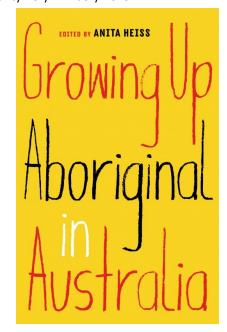


## **REFLECTION:**

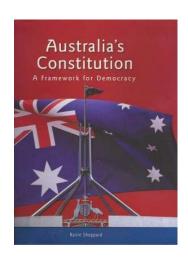
"... they were so ignorant they thought there was only one race on the earth and that was the white race. So when Captain Cook first came, when Lieutenant James Cook first set foot on Wangal land over at Kundul which is now called Kurnell, he said oh lets put a flag up somewhere, because these people are illiterate, they've got no fences. They didn't understand that we didn't need fences ... that we stayed here for six to eight weeks, then moved somewhere else where there was plenty of tucker and bush medicine and we kept moving and then come back in twelve months' time when the food was all refreshed ..."the late Aunty Beryl Timbery Beller

### **SUGGESTED ACTION:**

Read three stories from this book.



"With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood."





## **REFLECTION:**

Prior to colonisation, the many First Nations were certainly independent of external control. Blackfellas ran the place, of course. Did Aboriginal adults consider themselves 'about equally qualified to participate in decisions about matters of concern?' Within the overarching framework of Aboriginal Law, absolutely. Melissa Lucashenko

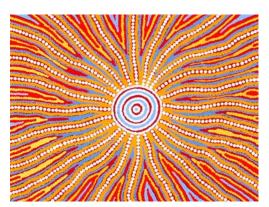
Underlying male and female practice is a common purpose and a shared belief in the Dreamtime experience; both have sacred boards, both know songs and paint designs which encode the knowledge of the Dreamtime ... Under the Law, men and women have distinctive roles to play but each has access to certain checks and balances which ensure that neither sex can enjoy unrivalled supremacy over the other. Dianne Bell

The United States, Canada and New Zealand are three places that have treaty relations with their Indigenous peoples. Only in Australia is it seen as radical or at all controversial to suggest that negotiations be held with the indigenes to establish a new path forward. Melissa Lucashenko

### **SUGGESTED ACTION:**

Reflect with a small group what Australia could be like with a fuller expression of Australia's nationhood.

"This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown."



## REFLECTION:

"Aboriginal spirituality is preoccupied with the relationship of the earth, nature and people in the sense that the earth is accepted as a member of our family, blood of our

blood, bone of our bone." *Mudrooroo, Aboriginal writer*. All elements of the Earth are interconnecteded: the people, the plants and animals, land forms and celestial bodies. Everything is related to each other.

"Our spirituality is a oneness and an interconnectedness with all that lives and breathes, even with all that does not live or breathe." *Mudrooroo, Aboriginal writer* 

We don't own the land, the land owns us. The land is my mother, my mother is the land. Land is the starting point to where it all began. It's like picking up a piece of dirt and saying this is where I started and this is where I'll go. The land is our food, our culture, our spirit and identity.— *S. Knight* 

### **SUGGESTED ACTION:**

Search for more about Aboriginal rituals at <a href="https://www.creativespirits.info/aboriginalculture/spirituality">https://www.creativespirits.info/aboriginalculture/spirituality</a>

"Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are aliened from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future."





## **REFLECTION:** Stan Grant wrote: "

Then, Aboriginal kids were often locked out of schools; today we have more Indigenous university graduates than at any time in our history. Once, my grandfather, and so many like him, were denied the vote; today we have Indigenous people in our parliaments. My grandfather lived on Aboriginal missions, among those rounded up and forced off traditional lands; today we have won rights to our land, our courts recognise native title. My grandfather lived in the great Australian silence — Indigenous people written out of our nation's history; today our stories are celebrated in film and music and art and literature. This is the world he dreamed of, the world he fought for: 'We are humanly equal and should be regarded by all as such...' Indeed.

This is the world dreamed of by Aboriginal heroes, who were often, like my grandfather, people of deep faith: Bill Ferguson, Pastor Doug Nicholls, William Cooper. These names and the names of those who followed – everyone who marched, carried a flag, raised a voice or pitched a tent for the struggle – are part of our folklore. They helped make Australia better.

Yes, there is much to do. The possibilities and promise of this country remain out of reach for far too many. The most impoverished and imprisoned in our nation are the First Peoples. My grandfather knew that too well. It

# **Suggested Action**



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"These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness."







#### **REFLECTION:**

Excerpt from Megan Davis GOVERNMENT MANAGEMENT OF Indigenous affairs has oscillated on the false binary of symbolic and practical responses since first settlement. Most politicians have followed their worst imaginings of public opinion, rather than provided leadership. The history of Indigenous policy-making is marked more by failure than success. Professor Tim Rowse has done a great service to the nation by documenting this sad, sometimes well-meaning, often misguided and racist history in *Indigenous and Other Australians Since 1901* (UNSW Press, 2017). It is a sobering but important read as it is important to know the history, even as it is repeated. Among the countless pieces of legislation and responses is a consistent pattern: that First Australians have never been treated as truly equal citizens, and the repeated call for greater self-determination has been ignored at huge economic and human cost.

As a result, the lived legacy for many First Nations people is marked by trauma and rage. As a friend of mine said: 'Remember how frustrated you feel on your worst day, and imagine living like that all the time, with no money, fearful of authority, knowing you are disrespected and suspected and not considered an equal citizen.' Not surprisingly, this translates into high rates of suicide, incarceration, violence and abuse for Indigenous Australians that routinely, but ineffectively, attract voyeuristic attention, but little meaningful action – what the Uluru statement described as the 'torment of powerlessness'.

"We call for the establishment of a First Nations Voice enshrined in the Constitution."





# **REFLECTION:** What is the voice?

The voice is a structural mechanism to give Indigenous Australians input on policy and legislation that impact them and their communities. The Uluru Statement specified two elements of the desired reform.

**First**, the voice would be constitutionally enshrined. <u>UNSW law professor Megan Davis</u> has said this will insulate the reform from partisan politics and help compel the government to listen to Indigenous communities. "Entrenchment will mean listening to mob is compulsory and allowing Indigenous input into policy will be mandated," she wrote in May. **Second**, the mechanism would be a "voice to Parliament" designed to provide input prior to the passage of legislation and policy. "The concept of the 'voice' in the Uluru Statement from the Heart is not a singular and what I perceive is that it is a cry to all tiers of government to stop and listen to the voices of Indigenous Australians at all levels," Ken Wyatt said.

#### **SUGGESTED ACTION:**

Reflect on what it means to speak and have your words listened to and acted on. Think of the times when someone has cut you off to say what they want to say. How does it feel to be ignored?

"We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country"





**REFLECTION: Pat Dodson said.d** 

I HAVE SPENT most of my life seeking to understand what it is about this issue that makes it so difficult for successive governments to resolve. First Nations people are simply asking our parliament for recognition of who we are. We are seeking recognition of our sovereign status. We are seeking acknowledgement of our joint histories and the appalling injustices that we have suffered. We are sovereign peoples. We are the First Peoples of this country.

Labor has not opposed a treaty and will advance calls for a Makarrata Commission, truth-telling and agreement-making process as an opportunity for the nation to be in a better place, and so reset its relationship with First Nations people. It is the parliament's job to work towards resolving such matters, balancing them and ensuring that human beings are put first, not our institutional prejudices. In the spirit of reconciliation, of relationships based on mutual understanding and respect, the parliament must rise to the challenge.

I have often compared Australia's journey to reconciliation to driving on unsealed roads between remote towns. The journey is a long, slow and progress is incremental. It is often bumpy and difficult to navigate. Sometimes we lose our way or get off track and encounter obstacles that challenge our commitment.

Over the past six months it has felt as if we were bogged in a sandy quagmire on the road to constitutional recognition. Now, we have a new opportunity. We must make it happen. It's time to engage the four-wheel drive.

7 March 2018

"Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history."

**REFLECTION:** This is a major concern for many Indigenous people. But why? In short, the lack of treaty in Australia goes to the very heart of the wound in our nation. The absence of a treaty suggests an ongoing denial of the existence, prior occupation and dispossession of Indigenous people in Australia and highlights a lack of engagement and

relationship between Indigenous and non-Indigenous Australians.

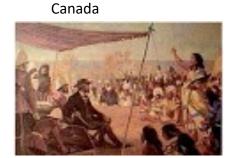
The term Makarrata has long been proposed as an alternative name for the treaty process in this country. Makarrata is much more than just a synonym for treaty, though. It is a complex Yolngu word describing a process of conflict resolution, peacemaking and justice. It is a philosophy that helped develop and maintain lasting peace among the Yolngu people of north-east Arnhem Land. "Makarrata has so many layers of meaning," says Merrikiyawuy Ganambarr-Stubbs, a Gumatj woman and principal of Arnhem Land's Yirrkala School. "The first one, and the main one, is peace after a dispute.

"Makarrata literally means a spear penetrating, usually the thigh, of a person that has done wrong... so that they cannot hunt anymore, that they cannot walk properly, that they cannot run properly; to maim them, to settle them down, to calm them — that's Makarrata." One of the other layers of meaning is more aligned to the spirit of what many hope a treaty process would look like. "It can be a negotiation of peace, or a negotiation and an agreement where both parties agree to one thing so that there is no dispute or no other bad feeling," says Ms Ganambarr-Stubbs.

**SUGGESTED ACTION:** Read copies of Treaties from other countries e.g Canada or New

Zealand





"In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future."





### **REFLECTION:**

The Uluru Statement from the Heart has given a sense of hope to many Indigenous people. It states several fundamental values of Aboriginal and Torres Strait Islander people and it is addressed to all Australians. Our history encompasses 65,000 years of human society and yet our constitution fails to recognise us.

While the Uluru Statement shows a way forward – with the idea of a "Voice" for Indigenous Australians, the idea of the Makarrarta and the principle of truth-telling – the details of how this could be achieved have not been enunciated.

The Uluru Statement from the Heart is highly significant as we consider the problem of involving Aboriginal and Torres Strait Islander people in the government-supported efforts to deal with this crisis and close the gap on our disadvantages. Its great significance for me is its ability – if it comes to fruition with a referendum – to give meaning and truth to the idea of our nation as including us

#### **SUGGESTED ACTION:**

Re -read this booklet. Share it with another person or group





# we need change

"What Aboriginal people ask is that the modern world now makes the sacrifices necessary to give us a real future. To relax its grip on us. To let us breathe, to let us be free of the determined control exerted on us to make us like you... recognise us for who we are, and not who you want us to be. Let us be who we are – Aboriginal people in a modern world – and be proud of us. Acknowledge that we have survived the worst that the past had thrown at us, and we are here with our songs, our ceremonies, our land, our language and our people – our full identity. What a gift this is that we can give you, if you choose to accept us in a meaningful way" Referendum Council member, Galarrwuy Yunupingu in his essay 'Rom Watangu'

